

First Assembly
(No.039)



Fifth Session
(Afternoon Sitting)
(039)

REPUBLIC OF KENYA
BOMET COUNTY ASSEMBLY
FIRST ASSEMBLY – (FIFTH SESSION)
VOTES AND PROCEEDINGS
TUESDAY 11TH APRIL, 2017 AT 2.30 P. M

1. The County Assembly assembled at 2.35 p. m

2. MEMBERS PRESENT

1. Hon. G. K Kipngetich – Speaker
2. Hon. Christopher Ngeno
3. Hon. Wilson Keter
4. Hon. Philip Siele
5. Hon. Hellen Chepkirui
6. Hon. Samson Towett
7. Hon. John Molel
8. Hon. Robert Bett
9. Hon. Nancy Chepkirui
10. Hon. Bency Too
11. Hon. Robert Metet
12. Hon. Sammy Chelule
13. Hon. David Rotich Big Five
14. Hon. Philip Korir
15. Hon. Stephen Changmorik
16. Hon. Taplelei Rotich
17. Hon. Evaline Chepkemoi
18. Hon. Josphine Rotich
19. Hon. Patrick Chepkwony
20. Hon. Leah Kirui
21. Hon. John Chepkwony

3. MEMBERS ABSENT

1. Hon. Benard Ngeno
2. Hon. Sammy Kirui
3. Hon. Josphat Kirui
4. Hon. Reuben Langat
5. Hon. Robert Serbai
6. Hon. Rose Boiyon

7. Hon. Aurelia Chepkirui
8. Hon. Andrew Maritim
9. Hon. John Ngetich
10. Hon. William Mosonik
11. Hon. Leonard Kirui
12. Hon. Beatrice Chebomui
13. Hon. Julius Korir
14. Hon. Joyce Korir
15. Hon. Samuel Bor

4. PAPERS LAID

The following paper was laid on the table of the County Assembly –

1. Hon. Samson Towett, on behalf of the Chairperson Budget and Appropriations Committee, tabled the 3rd Report of the Committee on the Bomet County Supplementary Budget for 2016/2017 Financial Year.

5. STATEMENTS

The leader of the minority party, Hon. John Chepkwony sought the following statement from the Chairperson Procedure and Rules Committee –

He sought a Statement from the Chairperson Committee on Procedure and Rules concerning the amendment of Standing orders which were made on 27th April 2016.

In the Statement, the Chairperson should indicate:-

- (a) Whether he is aware that the County assembly Standing Orders had earlier on been amended to have the definition of a County assembly Party to be constituted by at least one member instead of the five percent of the total membership of the County assembly?
- (b) What prompted the committee to have the Standing Orders further amended to revert back to the original definition of the “County Assembly Party” which had provided that a county assembly party shall consist of not less than five per cent of the membership of the County assembly?
- (c) Whether the position of the Leader of the Minority party became invalid from the date of the amendment and so is the responsibility allowance earned by the office holder.
- (d) Why was the amendment made while the office holder was bereaved as a result of loss of his child?

The statement was committed to the Procedure and Rules Committee. To be responded on 17th May, 2017 at 2.30 p. m.

STATEMENTS DUE ON 11TH APRIL, 2017 AT 2.30 P. M

1. Statement sought by Hon. Hellen Chepkirui on 1st March, 2017 from the Chairperson, Gender, Sports and Social Services Committee regarding allocations of funds for Persons With Disabilities. In the statement, the Chairperson should state;
 - a. The amount of money allocated to the persons with Disabilities during the 2016/2017 Financial Year and the amount which has already been used and the purpose for which it has been utilized.
 - b. The various programs undertaken to assist persons with different disabilities i.e with severe disabilities and non-severe disabilities

The Statement was committed to the Committee on Gender, Sports and Social services (Statement No. 98)

The statement was deferred to 12th April, 2017 at 2.30 p. m

2. Statement sought by Hon. Julius Korir on 13th December, 2016 from the chairperson of the Budget and Appropriation Committee regarding construction of the Governor's official office. In particular, the Hon. Member wished to be informed on the following;
 - a. How much is the total cost of construction of the Governor's official office adjacent to the High Court Building?
 - b. Which is the budget line was used to do the construction?
 - c. How much has been utilized so far?
 - d. Who is the contractor in site?
 - e. Has there been any variation in the contract since the inception?
 - f. When was the expected timeline for the project and if there was any extension, what necessitated it?
 - g. When is the expected completion?
 - h. The concerned department to supply the approved drawing, NEMA permit and NCA approvals acquire

The Statement was committed to the Committee on Budget and Appropriation Committee (Statement No. 85)

The statement was deferred to 12th April, 2017 at 9.00 a. m

3. Statement sought Hon. Leonard Kirui on 18th January, 2017 from the Chairperson Committee on Labour and Public Service concerning the current over-employment in the County Public Service;

In the Statement, the Chairperson should indicate;

- (i) The Current wage bill in Bomet County Executive ;(The Committee should invite the CEC finance to shed light on the level of compliance with the Court ruling on Court Case N0.73 of 2016 **Kenneth Kiprotich & Other V The Governor Bomet County & others**). Section 25 of the Public Finance Management Regulations sets County expenditure on wages at 35% of County public revenue.
- (ii) The number of employees that have been employed in Bomet County executive from the Year 2013 to date ;(The Committee should invite the County secretary Mr. Jonathan Soi, the acting County Secretary and the Director Human Resource to shed light on this issue)
- (iii) The number of employees that have passed through the County Public Service Board since the Year 2013 to date.

The Statement was committed to the Committee on Labour and Public Service (Statement No. 90)

The statement was deferred to 12th April, 2017 at 2.30 p. m

4. Statement sought by Hon. Samson Towett on 18th January, 2017 from the Chairperson Committee on Roads, Transport and Public Works on the remittance of ad valorem levy funds which were released to the County Government of Bomet on 20th July 2016 by the Tea Directorate of Kenya amounting to **KES 63,134,352**. The said funds were supposed to be remitted to respective factories based on their production figures for the development and maintenance of roads in tea growing areas.

In the statement, the Chairperson should indicate;

- i. Whether these funds have been released to the respective factories?
- ii. If not, then why has the County Executive not released these much needed funds to assist in the development of poor road network in these tea growing areas?
- iii. If (a) above is in the affirmative, then what system did the County executive employed in dispensing the funds to the factories and how much did each factory get?
- iv. Whether the funds were captured in the budget as this is an additional revenue to the County

The Statement was committed to the Committee on Roads, Transport and Public works (Statement No. 86)

The statement was deferred to 12th April, 2017 at 9.00 a.m

5. Comprehensive statement sought by Hon. Sammy Chelule on 18th January, 2017 from the Chairperson, Committee on Budget and Appropriation on the following;
 - i. It is now approaching seven (7) months since F.Y 2015/16 ended yet the County Executive Member for Finance and Controller of Budget have yet to remit Assembly's outstanding balances on development and recurrent funds committed in the F.Y. 2015/16. I therefore wish to know when the said balances will be remitted to the Assembly.

- ii. Aware that the Governor assented to the Bomet County Appropriation Act 2016 and subsequent warrant with Assembly's development vote amounting to **Ksh.116, 408,716**. I am reliably informed that despite Assembly submitting work plan and requisition for development funds, the said funds have not been released to the Assembly. Through the Chairperson, I wish to know why the County Executive Member for Finance and Controller of Budget have not released the funds and when the said funds will be released to the Assembly.
- iii. CEC member for Finance and representative of the Controller of Budget should urgently appear before the committee on Budget and Appropriation to address the matter.

The Statement was committed to the Committee on Budget and Appropriation (Statement No. 93)

The statement was deferred to 12th April, 2017 at 2.30 p. m

6. MOTION (Chairperson Committee on Labour and Public Service)

(Hon. Reuben Langat)

THAT, pursuant to Section 59 of the County Governments Act, 2012 this County Assembly adopts the report of the Committee on Labour and Public Service report on the County Public Service Board for the year ending 31st December, 2016 laid on the table of the County Assembly on 4th April, 2017.

Motion seconded by Hon. Christopher Ngeno.

Question proposed and no debate arose.

Mover given the right of reply.

Question put and agreed to.

7. ADJOURNMENT

The County Assembly was adjourned to Wednesday, 12th April, 2017 at 9.00 a. m

8. The County Assembly rose at 3.30 p. m